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| 10/686,694      | 10/15/2003  | Joshua Haghpasand    |                     | 9174             |

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| EXAMINER |
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SWEARINGEN, JEFFREY R

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| ART UNIT | PAPER NUMBER |
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2145

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03/28/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |  |  |  |
|------------------------------|--|--|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>10/686,694     | <b>Applicant(s)</b><br>HAGHPASSAND, JOSHUA |  |
|                              | <b>Examiner</b><br>Jeffrey R. Swearingen | <b>Art Unit</b><br>2145                    |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 15 October 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>20040426</u> .  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 101***

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

2. Claims 1-14 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. Claims 1-14 are directed toward software *per se*. The software is not embodied upon any computer-readable medium. Software *per se* is not patentable subject matter, and does not fall within the statutory classes of invention.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-3 and 6-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hannel et al. (US 7,272,625) in view of Donaldson (US 6,321,267).
5. In regard to claims 1 and 13-15, Hannel disclosed a network administrative policy server. Hannel, column 6, lines 1-34. Hannel disclosed user identification and groups to specify "trust information" which controlled a user's access rights (*an administrative module that a user interacts with for creating user accounts and configuring those user accounts, and for configuring automated services, the administrative module for accepting user inputs for configuration settings for inbound communications and for outbound communications, and having list maintenance functions including list editing, list deleting, searching of lists, saving of lists, ..., adding and deleting users, interchanging lists and importing and exporting lists*). Hannel, column 9, lines 24-59. Hannel, column 10, lines 33-48. Hannel disclosed a multiplicity of levels for access for a user, including at least three different types of administrator accounts and guest (public) user accounts (*said administrative module for configuring a range of access levels and*

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*being capable of creating three types of user accounts that have unique user names and passwords for each user account including an administrator account that is self-configuring and that controls automated services and selects for each account hard filtering or soft filtering, regular accounts with administrative privileges other than the privilege to create additional accounts, view information on any other accounts or configure automated services and regular accounts without administrative privileges, and in addition a fourth type of user account namely one anonymous guest user account to be used in a manual launch of the software by general users who have no system-based user name or password).* Hannel, figure 35. Hannel encrypted the information for users *(the administrative module for storing as encrypted files on hardware memory the configurations of the range of access levels for the user accounts created and the configurations of the automated services).* Hannel, column 10, line 40 - column 11, line 20. Hannel taught domain filtering with multiple filters *(a domain filtering engine capable of using from the encrypted files a friendly outbound list and an unfriendly outbound list only one of which is active at any given time and an outbound exception list, and using a friendly inbound list and an unfriendly inbound list only one of which is active at any given time, and a domain inbound exception list, the friendly outbound list, the unfriendly outbound list, the friendly inbound list, the unfriendly inbound list, the outbound exception list, the domain inbound exception list...being uniquely configured for each user account)* Hannel, column 13, lines 1-40. Hannel logged the network traffic. *(the domain filtering engine capable of registering the request in a logfile of all web sites requested by a user and capable of performing domain filtering, said domain filtering including for inbound requests checking the identity of a requesting remote client against the friendly inbound or unfriendly inbound list and domain inbound exception list maintained in the encrypted files and including for outbound requests checking local user and remote user requested domains, URLs and links against the friendly outbound list, unfriendly outbound list and outbound exception list and then with respect to both inbound and outbound requests for hard filtering unless overruled by the outbound exception list or domain inbound exception list either approving the request, terminating the request or terminating and re-routing the request without the knowledge of the user, and for soft filtering unless overruled by the outbound exception list or domain inbound exception list passing disapproved requests..)* Hannel, column 42, lines 33-64. Hannel disclosed content filtering. *(a content*

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*filtering engine capable of performing content filtering including checking a content of a requested document against a friendly content inbound list, an unfriendly content inbound list, and a content exception list taken from the encrypted files, the friendly content inbound list, the unfriendly content inbound list, only one of the friendly content inbound list and the unfriendly content inbound list being active at any given time, and the content exception list being uniquely configured by each user, and then for hard filtering against the unfriendly content inbound list either passing the requested document if the content of the requested document is not on the unfriendly content inbound list or unless overruled by the content exception list rejecting the requested document if the content of the requested document is on the unfriendly content inbound list and for hard filtering against the friendly content inbound list either unless overruled by the content exception list passing the requested document if the content of the requested document is on the friendly content inbound list or rejecting the requested document if the content of the requested document is not on the friendly content inbound list and for soft filtering against the unfriendly content inbound list either approving the content of the requested document and passing the requested document if the content is not on the unfriendly content inbound list or unless overruled by the content exception list rejecting the content of the requested document and passing a remainder of the requested document if the content is on the unfriendly content inbound list and for soft filtering against the friendly content inbound list either unless overruled by the content exception list passing the requested document if the content is not on the friendly content inbound list or passing the requested document and highlighting the content of the requested document if the content is on the friendly content inbound list).*

Hannel, column 45, lines 9-39. Hannel disclosed acting as a content filtering engine and a proxy server. *(acting internally to communicate with the domain filtering engine and with the content filtering engine and acting externally as a proxy server that receives requests from HTTP clients, forwards the requests to servers, receives a server response and forwards the server response to the HTTP clients)* Hannel, column 45, lines 40-67.

6. Hannel failed to disclose the use of proxy chaining. Hannel further failed to disclose email filtering. Hannel further failed to disclose email notification. However, Donaldson disclosed proxy chaining. Donaldson, column 13, lines 35-47. Donaldson disclosed email filtering. Donaldson, column

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12, lines 28-67; column 11, lines 17-36. Donaldson disclosed email notification. Donaldson, column 18, lines 32-67.

7. It would have been obvious to one of ordinary skill in the art at the time of invention to combine the teachings of Donaldson with the teachings of Hannel for network security reasons and to keep malicious code out of an organizations internal network. Donaldson, column 1, line 60 – column 2, line 2. Hannel supports the need for network security issues in column 5, lines 1-60.

8. In regard to claim 2, Donaldson further disclosed *an optional email alert system for hard filtering and soft filtering*. Donaldson disclosed email notification. Donaldson, column 18, lines 32-67.

9. In regard to claim 3, Hannel further disclosed *the content filtering system has an inbound privacy shield for blocking scripting language functions for particular user accounts and where the domain filtering engine has an outbound privacy shield for blocking disapproved character strings representing confidential information*. Hannel, column 20, line 18 – column 21, line 52.

10. In regard to claim 6, Hannel further disclosed *an automated scheduler that controls a launching of the application server automatically and decides which user account to activate and when to shut off an access to a world wide web, and includes an automated list updater that updates the friendly inbound list, the unfriendly inbound list, the friendly outbound list and the unfriendly outbound lists for each user account from links on the web*. Hannel, column 15, lines 28-42. Hannel, column 51, lines 43-65.

11. In regard to claim 7, Hannel further disclosed *wherein inbound communications are arranged so that an actual location of a highly sensitive resource is located in an unpublished location that is a replacement location to which requests rejected by the application server are rerouted, wherein approved users are listed in the application server in the unfriendly inbound list and are sent by the application server to the replacement location, and wherein unapproved users are not listed in the unfriendly inbound list and have their request sent to a published address that contains harmless information*. Hannel, column 39, lines 1-25

12. In regard to claim 8, Hannel further disclosed *the range of access levels ranges from maximum 100% access to full suspension*. Hannel, column 35, lines 3-22

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13. In regard to claim 9, Hannel further disclosed *the administrative module includes an editor, the editor including an editing pane, said editor also including an encryption function that generates one or more secret symmetric encryption keys, the one or more encryption keys being uniquely associated with a text inputted by a user in the editing pane, said encryption function capable of encrypting at the user's option all or only a portion of an e-mail message and all or only a portion of an e-mail message attachment file and said encryption function also capable of encrypting all or a combination of files on a hard drive local to the software.* Hannel, column 35, lines 20-22. column 34, lines 1-24.

14. In regard to claim 10, Hannel further disclosed *the application server, instead of acting externally as a proxy server, acts externally within a deployment of a chain of proxy servers, said chain of proxy servers including at least a first proxy server that receives requests from HTTP clients and forwards the requests through a zero or more intermediary proxy servers to a last proxy server, said last proxy server forwarding the requests to servers, and wherein the last proxy server receives a server response and forwards the server response through the zero or more intermediary proxy servers back to the first proxy server, which first proxy server forwards the server response to HTTP clients.* Hannel, column 45, lines 9-39; line 56-67.

15. In regard to claim 11, Hannel further disclosed *the administrative module is also capable of configuring an automated configuration script file for accessing the global telecommunications network.* Hannel, column 50, lines 14-32

16. In regard to claim 12, Donaldson further disclosed *email filtering includes an option of hard e-mail filtering in which an incoming e-mail is deleted form a user e-mail inbox and includes an option for soft filtering in which an incoming e-mail remains in the user e-mail inbox but is inaccessible to the user.* Donaldson, column 41, lines 46-55.

17. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hannel in view of Donaldson, and further in view of Hino (US 6,185,563).

18. In regard to claim 4, Hannel in view of Donaldson failed to disclose replacing a requested document. However, Hino disclosed document replacement functionality. Hino, column 10, lines 34-38.

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It would have been obvious to one of ordinary skill in the art at the time of invention to modify the Hannel/Donaldson combination with Hino to allow for document coherency (Hino, column 1, lines 24-35) and to limit file access to those who have permission to access a particular file. (Hino, column 6, lines 12-22)

19. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hannel in view of Donaldson in further view of Lapidous (US 7,278,114).

20. In regard to claim 5, Hannel in view of Donaldson failed to disclose a popup blocker. Lapidous did disclose a popup blocker which utilized a filter. Lapidous, column 9, lines 55-67. Hannel and Donaldson both disclosed content filters. Donaldson, column 12, lines 28-67; column 11, lines 17-36. Hannel, column 45, lines 9-39. Since Hannel and Donaldson both disclosed filtering techniques, and Lapidous is a filtering technique used to limit intrusion on a user's web browsing by unwanted advertisements, it would have been obvious to one of ordinary skill in the art at the time of invention to combine the filtering of Lapidous with the combination of Hannel and Donaldson.

### ***Conclusion***

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Schneider et al.

US 6,105,027

Jacob, Varghese et al. "Filtering Objectionable Internet Content." Proceedings of the 20<sup>th</sup> International Conference on Information Systems. Association for Information Systems. January 1999. 274-78. Charlotte, NC.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jeffrey R. Swearingen whose telephone number is (571)272-3921. The examiner can normally be reached on M-F 8:30-5:00.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Cardone can be reached on 571-272-3933. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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